

REMARKS

This is in response to the office action dated March 8, 2004.

Claim 1 has been amended to more clearly indicate the operation of the claimed circuit. Additionally, applicant overlooked "variable resistor" in the previously filed amendment and this has been changed to "varistor" with the currently submitted amendment.

First, the claim now indicates that the capacitor attenuates the undesirable high frequencies when it is connected across the AC power supply. Also, the control device such as the TRIAC is indicated as being normally off when the capacitor is connected to the AC power supply. Moreover, as described in the specification, under normal operating conditions, the TRIAC is off. The TRIAC only comes on when the capacitor is disconnected from the AC power supply, to dissipate the high potential on the capacitor to prevent electrical shock and for power surges. The claim has been amended to indicate this operation. Lastly, the varistor is used for surge protection, when the capacitor is connected, that is, when the circuit is in operation. The claim has further been amended to indicate this operation.

The claims were rejected based on Graham, such as shown in Figure 1 of the present application in combination with Pascente. Applicant submits that the Pascente circuit operates in a substantially different manner from the current circuit. As such, the nexus to combine the teachings are not have present, and consequently the present invention is not obvious in view of this combination.

More specifically, in Pascente the TRIAC is used to provide a current path through a resistive load. For this reason, the TRIAC conducts under normal operating conditions to allow the TRIAC to supply current to the load. In contrast, as currently claimed, the TRIAC is off under normal operating conditions and comes on when the capacitor is disconnected from the AC circuit. Thus, in Pascente the TRIAC is used to supply voltage to the load, as part of the normal circuit for operation. For the circuit of claim 1 of the present application, the TRIAC is used to discharge the high voltage associated with the capacitor when disconnected and is off during normal operation.

In Pascente the varistor is used to protect the TRIAC when the circuit is not in operation, that is, when there is no current being delivered to the load. Unlike that operation, with the present invention, the varistor is used to protect the TRIAC during normal operation. These differences in operation, applicant submits, would have eliminated any motivation to combine the circuit of Pascente with the prior teachings of Graham.

Applicant submits with the above amendment, the present application is in condition for allowance and an early allowance would be appreciated.

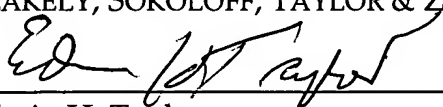
If there are any additional charges, please charge Deposit Account No. 02-2666.

If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Edwin H. Taylor at (408) 720-8300.

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Respectfully submitted,
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